

# EXHIBIT A

Dkt. 54205-B/JPW/SHS/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John O'Connor et. al.  
Serial No.: 09/311,428 Group Art Unit: 1641  
Filed : May 13, 1999 Examiner: L. Cook  
For : METHODS FOR PREDICTING PREGNANCY OUTCOME IN A  
SUBJECT BY hCG ASSAY

1185 Avenue of the Americas  
New York, New York 10036

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir: DECLARATION UNDER 37 C.F.R. §1.48(a)(2)

I, Galina Kovalevskaya, hereby declare that:

1. I am one of the inventors of the claimed invention in the above-identified patent application ("subject application").
2. I understand the currently named inventors of the claimed invention in the subject application are John O'Connor and Steven Birken.
3. The invention described and claimed in the subject application was conceived by John O'Connor, Steven Birken and me.
4. Accordingly, the actual inventors of the claimed invention in the subject application are: John O'Connor, Steven Birken and Galina Kovalevskaya.
5. The error in inventorship occurred without any deceptive intention on my part.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the subject application or any patent issuing thereon.

Dated: August 29, 2001 G. Kovalevskaya  
Galina Kovalevskaya